

Purpose of the Contract: The State Procurement Office has entered into a Master License Agreement program for the State of North Dakota to purchase Novell products and services.

Contractor Information		
Contractor Name:	Novell, Inc. 1800 S Novell Place MS-PRV-E-311 Provo, UT 84606	
Service Representative:	Daniel Carr	Melissa R. Gonzalez, CNS, Inside Sales
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Currently two State agencies are using the Novell contract. They are ITD and the Bank of North Dakota. If you would like to participate in the Novell contract please continue reading.

Participation: State agencies, institutions, and other state and local government entities desiring to purchase under the state Novell Master License Agreement must complete a MLA Membership Form and meet the \$5,000 minimum order requirement. The following must be submitted to Novell:

1. MLA Membership Form. Please list the "State of North Dakota" as the Prime Customer Name, and leave the prime customer membership number blank.
[Universal Membership Form](#)
2. Sales Tax Exemption Certificate. (Your organization may obtain this certificate from the State Tax Department, 701-328-3470.)
3. Purchase Order for those items listed on the Novell MLA price list.

After submitting a Membership Form, you will be assigned a unique agreement number by Novell. All government entities purchasing under the state MLA are responsible to read and understand the MLA agreement, and they will be responsible for its own actions and omissions regarding MLA rights and obligations.

Changing Resellers/Partners: When purchasing products or services they do not have to be purchased directly through Novell. They can be purchased through a Novell reseller / partner. Other than the initial participation forms, no other forms are required when changing MLA partners; you simply change resellers as needed, as long as you continue to purchase through an authorized Fulfillment or Software Service Agent. To find a qualified reseller in your area, you can use the Novell's Partner Locator (<http://www.novell.com/partnerlocator/index.jsp>).

Ordering and Payment: See page 6 of the Novell MLA Program Guide http://www.novell.com/licensing/collateral/mla_programguide.pdf . The minimum order amount is \$5,000 before discount.

Pricing and Tax Information: The volume discount applied to maintenance fees shall be at a minimum 34% off of the standard MLA published price list. The Novell MLA price list can be found at <http://www.novell.com/licensing/price/>

MLA Maintenance: As an MLA customer, you are required to purchase Maintenance on all Novell product licenses, including any licenses previously purchased, even if they were purchased outside the current MLA agreement.

Taxes: The State does not pay sales tax or federal excise tax. The state sales tax exemption number is E-2001. The federal tax-free transaction number is 45-70-0010K.

Self-Audits: Your organization will be required to conduct an annual self-audit under the MLA to ensure you have paid for all licensed works copied or used and help in calculating your Maintenance order. See Self-Audit form: <http://www.novell.com/licensing/lms/audittools.html> .

Open Records and Confidentiality: Any information provided by Novell, Inc. to employees of state government entities must be handled in compliance with North Dakota laws for open records and disclosure limitations of confidential information, particularly the confidentiality provisions of N.D.C.C. sections 44-04-18.4 and 44-04-18.5.